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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,458	06/25/2001	Detlef Muller	DE 000090	8691

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER
KIM, KENNETH S

ART UNIT	PAPER NUMBER
2111	7

DATE MAILED: 02/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Office Action Summary	Applicati n N . 09/888,458	Applicant(s) MULLER, DETLEF
		Examin r Kenneth S KIM	Art Unit 2111

-- *The MAILING DATE of this communicati n appears on the cover sheet with th corresp ndenc address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disp sition of Claims

4) ☒ Claim(s) _1-3_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-3_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

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PRIMARY EXAMINER

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All b) ☐ Some * c) ☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _4_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

1.   Claims 1-3 are presented for examination.

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Shinkai,

U.S. Patent No. 6,381,190.

Shinkai teaches the invention as claimed including a micro-controller comprising

a command decoder (8, 9) and at least one memory (11, 17) to which the command

decoder has access, the command decoder being adapted to decode at least one

conditional command (control data signal; col. 5, line 52), such that the result of

decoding of the conditional command is dependent on the contents of said memory (col.

5, lines 53-57),

wherein the memory is adapted in such a way that it can include input data (col.

5, lines 40 and 45) –claim 2,

wherein the command decoder decodes the conditional command as an access

command for the computer to different memory types (SRAM cache in indirect mode

and memory cell array in direct mode; col. 2, lines 22-43) – claim 3.

4.   Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by

Asghar et al, U.S. Patent No. 6,032,247.

Asghar et al teaches the invention as claimed including a micro-controller

comprising a command decoder (402) and at least one memory (213) to which the

command decoder has access, the command decoder being adapted to decode at least

one conditional command (col. 11, line 28), such that the result of decoding of the

conditional command is dependent on the contents of said memory (col. 5, lines 52-55;

col. 11, lines 35-45),

wherein the memory is adapted in such a way that it can include input data (col.

8, line 37) –claim 2,

5.   Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by

Yamada et al, U.S. Patent No. 5,996,070.

Yamada et al teaches the invention as claimed including a micro-controller

comprising a command decoder (col. 15, line 43) and at least one memory (GPR 5; col.

15, line 60) to which the command decoder has access, the command decoder being

adapted to decode at least one conditional command (col. 15, line 46), such that the

result of decoding of the conditional command is dependent on the contents of said

memory (col. 15, line 37; col. 16, line 58),

wherein the memory is adapted in such a way that it can include input data (GPR receives input data) –claim 2,

6.   Claims 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Guttag et al, U.S. 5,805,913.

Guttag et al teaches the invention as claimed including a micro-controller comprising a command decoder (col. 5, line 22) and at least one memory (col. 5, line 20) to which the command decoder has access, the command decoder being adapted to decode at least one conditional command (col. 5, line 23), such that the result of decoding of the conditional command is dependent on the contents of said memory (col. 5, lines 23-27),

7.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wiker taught a method of controlling access to additional memory.

Sarma et al taught a method of decoding commands to access different memory types.

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth S KIM whose telephone number is (703) 305-9693. The examiner can normally be reached on M-F (8:30-17:00).
        If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (703) 305-4815. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.
        Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

KENNETH S KIM
PRIMARY EXAMINER